

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

WILLIE HICKS,)	CASE NO. 1:05CV2722
)	
PETITIONER,)	
)	
v.)	JUDGE PETER C. ECONOMUS
)	
DAVID BOBBY,)	
WARDEN,)	
)	
RESPONDENT.)	MEMORANDUM OPINION
)	AND ORDER

On November 21, 2005, Petitioner, Willie Hicks, (“Petitioner”) filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 challenging the constitutionality of his criminal conviction. This case was referred to Magistrate Judge George J. Limbert for preparation of a report and recommendation pursuant to 28 U.S.C. § 636 and LR 72.1 (Dkt. # 4). On October 4, 2006, Magistrate Judge Limbert filed a report recommending that this Court deny Petitioner’s motion to proceed in forma pauperis and request to file the complete record and dismiss Petitioner’s application for writ of habeas corpus with prejudice. (Dkt. # 13). On October 24, 2006, Petitioner filed objections to this recommendation (Dkt. # 15).

The Court has reviewed the report and recommendation of the Magistrate Judge, *de novo*. The Court finds that the report and recommendation (Dkt. # 13) is well-supported and that Petitioner’s objections are without merit. Therefore, Magistrate Judge Limbert’s

report and recommendation is hereby **ADOPTED** and Petitioner's objections are overruled.

Accordingly, Petitioner's motion to proceed in forma pauperis is **DENIED**. Further, Petitioner's petition for Writ of Habeas Corpus is **DENIED**. The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. §2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

/s/ Peter C. Economus - November 9, 2006
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE